

Town of Uxbridge
 Conservation Commission
 21 South Main Street
 Uxbridge, MA 01569
 508-278-8600 x 2020



Received by
 Uxbridge
 Town Clerk

Conservation Commission Meeting Minutes
Monday, December 7, 2015
Board of Selectmen Meeting Room, Uxbridge Town Hall

Please note some items may have been taken out of agenda order.

Present: Chairman Patrick Hannon, Clerk Jeffrey Shaw, Member Mike Potaski and Melissa Dillon, Conservation Administrator

Absent: Treasurer/Vice Chair Jim Hogan, Member Russell Holden

It being 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

MOTION: I, Mr. Shaw, move that the issue of the Dog Park be moved out of order and be heard first. Seconded by Mr. Potaski, the motion carried 3-0-0.

- o Discussion: Want to make sure that none of the Boards of Committees object to the use of the land for a Dog Park and the land is not spoken for and no plans are already made for this piece of land. The Commissioners have already seen this presentation from other meetings and have no questions or plans for the 100 acre lot.
- o **MOTION: I, Mr. Potaski, move that the Conservation has no objection to the use of the 100 acre lot for a Dog Park. Seconded by Mr. Shaw, the motion carried 3-0-0.**

PUBLIC HEARINGS

1. NOTICE OF INTENT (NOI), DEP #312-1006, Flagg RV-865 Quaker Highway (Map 50, Parcel 4024)

Applicant: Steve Flagg

Representative: Heritage Design Group

Project Description: Completion of the Stormwater Management system for a commercial RV sales facility within a Buffer Zone.

- o Discussion: Lance Anderson, on behalf of the Applicant, is here to answer any questions that the Commissioners may have. This is a new Notice of Intent because the prior Order of Conditions were never recorded and are expired. Mr. Hannon talked with Joe Bellino from DEP and wanted to ensure that everything that was supposed to be done was completed. Mr. Hannon wants to know when Mr. Flagg will come within compliance, especially moving the RVs. A submittal of an as-built is the best option to make sure that work that was approved and intended to be done has been done from 2006. There is stormwater calculations, soil type, and others which are subject to review by Graves in order to determine compliance. The Public hearing was opened so that the Notice of Intent and plans can be sent to Graves Engineering for peer review. Operation Manual stated that erosion controls would be maintained and installed by Steve Flagg. Heritage would like to be responsible for the erosion controls and has agreed to make the changes in the plans. Commissioners have found many mistakes that have carried from 2008 and needs to be fixed within the Notice of Intent for the next meeting. The last wetland flagging was in 2011 around the dam. The Commission and Lance have agreed to do a peer review with Graves for Stormwater compliance. Administrator will send 53G letter to Heritage and Graves Engineering.
- o **MOTION: I, Mr. Potaski, move that the Public Hearing be continued in agreement with the representative until the scheduled meeting on December 21, 2015 for more information. Seconded by Mr. Shaw, the motion carried 3-0-0.**

2. REQUEST FOR DETERMINATION OF APPLICABILITY (RDA), FY16-02, 506 & 518 Hazel Street (Map 22, Parcel 1552/1671)

Applicant: 518 Hazel Street, LLC

Representative: B & C Associates Inc.

Project Description: Expansion of the Salvage Center storage area by utilizing the area outside the 100' Buffer Zone on both properties with removal of vegetation within the limit of work.

- o Discussion: Dave Crossman, on behalf of the Applicant, is looking to expand their storage area and is asking the Commission to approve the wetland line so that they can maintain the 100' Buffer Zone for any proposed work. Wetland delineation has been performed and is provided as a map and wants to

ensure that the Commission is comfortable with these delineations. They have submitted the application to Heritage for the endangered species habitat but have not heard back. There are no other town approvals needed. There is no ground watering monitoring but there is monitoring since they are adjacent to the landfill.

- **MOTION: I, Mr. Shaw, move that the Commission issue a negative determination of applicability. Seconded by Mr. Potaski, the motion carried 3-0-0.**

3. **NOTICE OF INTENT (NOI), DEP #312-1008, 48/0 Depot Street (Map 20, Parcel 2517)**

Applicant: New England Power Company

Representative: BSC Group

Project Description: Substation site improvements and feeder relocation, including the expansion of the existing access road, creation of a new parking area and electrical improvements to support the removal of the old 13.8 kV switchyard in the 200' Riverfront Area

- Discussion: Theresa Portante, on behalf of the Applicant, in regards to the proposed project to improve the site conditions at Substation #321. This is to improve electrical and site conditions and be able to access the adjacent right-a-way. The Commission issued a positive determination of applicability for the project because a large amount of work within the Riverfront Area but established that the alternatives proposed were limited to the parcel and are no practical alternatives than what were proposed. Most work, including installation of conduits, will be mostly located in existing roadways/sites. They will be increasing the Stormwater system to comply with Massachusetts standards. There will be flood storage lost, but will be compensated by removal of concrete foundation. The Commission expects the BNP's to look like what they are depicted in the plans. Might need acknowledgement from the engineer showing that they understand the Order of Conditions and the plan for installation. Plans need to be onsite and in a physical form, not electronically. Commission would like to send the Notice of Intent to Graves for peer review regarding the Stormwater calculations. Site visit scheduled for December 19th at 9 am and will send the Notice of Intent for peer review.
- **MOTION: I, Mr. Potaski move that the Public Hearing be continued in agreement with the representative until the next regularly scheduled meeting for more information. Seconded by Mr. Shaw, the motion carried 3-0-0.**

4. **NOTICE OF INTENT (NOI), DEP #312-100X, 68 Henry Street (Map 20, Parcel 2517)**

Applicant: Countryside Associates, LLC

Representative: Andrews Survey & Engineering

Project Description: Construction of 12 townhouses with associated paving, landscaping, utilities, and earthwork within the 200' Riverfront Buffer Zone.

- Discussion: Stephen O'Connell, on behalf of the Applicant, gave a brief history of the site and the location of the site. This site is going through the Planning Board and is proposing 12 dwelling units and are townhouse style. They gave the resource area as much space as they could, planned for established lawns in order to prevent runoff. They plan to deal with Stormwater by underground storage tanks, which allow the water to recharge since they have a high absorption rate. They will pipe Stormwater to oil removal separators and treat the water and is then stored in the underground tanks and able to recharge. Right now the site is in a degraded state and absence of topsoil and broken up concrete pieces and is fairly undisturbed. There is endangered species identified within the river and an existing file tracking number. A triangle floater and freshwater mussel are said to be in the river, but the freshwater mussel is the main concern. Previous Order of Conditions, which have expired, listed a special conditions to comply with National Heritage requirements which included a study into the endangered species. As far as Mr. O'Connell is aware this study has not been done. Stormwater peer review from Planning will be sent to the Commission for them to look over and comment on. They are working on proper signage to ensure designated areas within the Riverfront area such as snow storage. Mr. Hannon proposed that any dewatering plans be submitted to the Commission prior to dewatering so that they could be provided. The Commission asks that a change be made to street sweeping instead of a physical wash and a compost tube. Invasives will be cleaned up and shade trees will be saved to protect the river. DEP commented that the filing fee was substantially low because they want a fee for every house they are building instead of just one for the site.
- **MOTION: I, Mr. Shaw, move that the Public Hearing be continued in agreement with the representative until the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 5-0-0.**

5. **NOTICE OF INTENT (NOI), DEP #312-1004, Off Rogerson Crossing (Map 12B, Parcel 3768) Continued from 11/16/2015**

Applicant: Rogerson Crossing Realty Trust

Representative: Andrews Survey & Engineering

Project Description: Construction of a subdivision road consisting of a bridge over the Mumford River and work within Bordering Land Subject to Flooding, Riverfront Area and Bordering Vegetated Wetlands (BVW)

- Discussion: Stephen O'Connell, Andrews Survey & Engineering, Inc., on behalf of the Applicant, received comments from Graves and sent new revised plans in return. Comments from the new revisions

have not been received from Graves as of yet but will be returned soon. For the next meeting, Mr. O'Connell asks to have documents prepared for sign-off for the next meeting if things go well.

- **MOTION: I, Mr. Potaski, move that the Public Hearing be continued in agreement with the representative until the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried 3-0-0.**

WETLAND UPDATES/ISSUES

1. Discussion of Conestoga and Saratoga
 - Discussion: Norman Ganache, on behalf of the Applicant, is here to talk with the Commission about the detention basins and DPW's response. Benn Sherman, DPW, expressed concerns with access to maintain the basins. Work would not be done until May so it can be pushed off. Mr. Shaw expressed his concern regarding the agreement with the contracting out of the vacuum truck. If the town never accepts the roadways then the homeowners are stuck maintaining the structures that are there. They cannot alter or modify the structures because it would be considered a modification within the wetlands. The Commission would like to talk with the DPW director in order to gain clarification on his stance about the issue.
2. Mountainview Road
 - Goddard Consulting is present in order to answer questions or comments about the concerns regarding the site. The Commission received complaints about Stormwater overflowing into neighboring properties. The hale bays are there in order to catch the sand flowing down the road. The silt sacks in the catch basin have been cleaned. The Commission would like to know the schedule as to when the features will be working as they are supposed to be. DEP was called out during a rainstorm regarding the water flowing on the neighbor's property and was determined to be coming from Albee Road and not from their property. By this coming spring they expect to be done with construction and have the site stabilized. Mr. Holden had been previously concerned with the sheeting issue and come winter it could ice over and become a problem.

REPORTED/ONGOING VIOLATIONS

1. 28 Ironstone Rd. continuing violations
 - Discussion: Dawn Roy called the office asking to do a quick visit to the site to ensure that everything was to the Commissions satisfaction in order to get the excavator off the property.
2. Providence and Worcester Rail Road continuing violations
 - Discussion: No responses from the RailRoad. Mr. Potaski advised to possibly reach out to surrounding Commissions and order to help unify and help the process in removal of the railroad ties.
3. 836 Aldrich Street
 - Discussion: Were expected to come before the Commission at this meeting but were unable to attend. They would like to attend the next meeting and will have a new set of plans submitted prior to the meeting.

PROCESSING

1. Endorse Meeting Minutes- 8/17, 11/16, 4/6
 - Put off until the next meeting in order to have all members.
2. Endorse Order of Conditions for **DEP #312-1003-189 Mendon Street**
 - Endorsed by all present members
3. Endorse Order of Conditions for **DEP #312-1005-79 River Road**
 - Endorsed by all present members
4. Ratify Enforcement Order for 40 Douglas Street
 - Put off until next meeting in or to have all members
5. Approval of 2016 Conservation Commission Schedule
 - **MOTION: I, Mr. Potaski, move to approve the 2016 Conservation Commission schedule. Seconded by Mr. Shaw, the motion carried 3-0-0.**

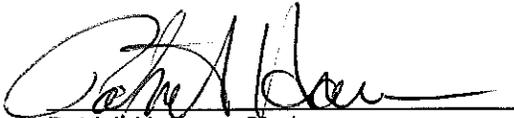
ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

1. State Ethics Commission asked the Administrator for information regarding the culvert project on Old Hartford Ave.

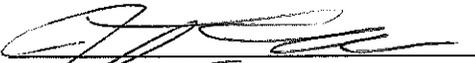
At approximately 7:55 pm, MOTION by Mr. Potaski that the Commission adjourn the meeting. Seconded by Mr. Shaw, the motion carried unanimously by roll call vote, Hannon – aye, Potaski – aye, Shaw – aye.

Conservation Commission Meeting Minutes continued - Monday, December 7, 2015

Respectfully submitted,
Melissa Dillon


Patrick Hannon, Chairman

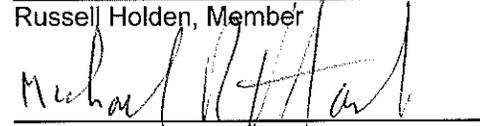
Jim Hogan, Vice Chair/Treasurer


Jeffrey Shaw, Clerk

February 1, 2016

Date

Russell Holden, Member



Michael Potaski, Member